

**RECEIVED  
CENTRAL FAX CENTER**

**OCT 19 2007**

**In the claims:**

For the Examiner's convenience, all pending claims are presented below with changes shown. Please cancel claims 2, 3, 5, 9, 10, 12, 16, 17 and 19.

**1. (Currently Amended) A method comprising:**

a processor at a first node determining one or more communication protocols via which a second node is capable of communicating with the first node based upon one or more parameters received from the second node during an initialization of communication between the first node and the second node, the one or more parameters specifying the one or more communication protocols; ~~and~~

the processor selecting first drivers to implement ~~a first communication an~~ Ethernet protocol if the one or more parameters specify the first communication protocol; and

the processor selecting second drivers to implement an Asynchronous Transfer Mode protocol if the one or more parameters specifies the second protocol.

**2-3. (Cancelled)**

**4. (Previously Presented) The method of claim 1, further comprising:**

in response to the selecting, invoking a plug and play (PnP) protocol manager to initiate loading of the one or more drivers into memory.

**5. (Cancelled)**

6. (Previously Presented) The method of claim 1, wherein: the first node comprises at least one modem driver; and the determining is performed by the at least one modem driver.

7. (Currently Amended) The method of claim 1, wherein:  
the initialization of the communication comprises a negotiation between the first node and the second node; and in response to a request from the first node, the second node transmits during the negotiation the one or more parameters to the first node.

8. (Currently Amended) An apparatus comprising:  
a processor at a first node to determine one or more communication protocols via which a second node is capable of communicating with the first node based upon one or more parameters received by the first node from the second node during an initialization of communication between the first node and the second node, the one or more parameters specifying the one or more-communication protocols, and to select first drivers to implement ~~a first communication~~ an Ethernet protocol if the one or more parameters specifies the first communication protocol and to select second drivers to implement an Asynchronous Transfer Mode protocol if the one or more parameters specifies the second protocol.

the processor selecting first drivers to implement protocol if the one or more parameters specify the first communication protocol;

9-10. (Cancelled)

11. (Previously Presented) The apparatus of claim 8, wherein:  
the processor is also capable of invoking a plug and play (PnP) protocol manager  
to initiate loading of the one or more drivers into memory.

12. (Cancelled)

13. (Previously Presented) The apparatus of claim 8, wherein:  
the processor is capable of executing at least one modem driver; and  
execution of the at least one modem driver by the processor results in the  
processor being capable of determining the one or more-communication protocols.

14. (Currently Amended) The apparatus of claim 8, wherein:  
the initialization of the communication comprises a negotiation between the first  
node and the second node; and in response at least in part to a request from the first node,  
the second node transmits during the negotiation the one or more parameters to the first  
node.

15. (Currently Amended) An article comprising: a storage medium having stored  
thereon instructions that when executed by a machine result in the following:

at a first node determining one or more communication protocols via which a second node is capable of communicating with the first node based upon one or more parameters received from the second node during an initialization of communication between the first node and the second node, the one or more parameters specifying the one or more communication protocols; ~~and~~

the processor selecting first drivers to implement ~~a first communication an~~ Ethernet protocol if the one or more parameters specify the first communication protocol; and

the processor selecting second drivers to implement an Asynchronous Transfer Mode protocol if the one or more parameters specifies the second protocol.

16-17. (Cancelled)

18. (Previously Presented) The article of claim 15, wherein:

the instructions when executed by the machine also result in, in response to the selecting, invoking a plug and play (PnP) protocol manager to initiate loading of the one or more drivers into memory.

19. (Canceled)

20. (Previously Presented) The article of claim 15, wherein:

the first node comprises at least one modem driver; and  
the determining of the at least one communication protocol is performed by the at least one modem driver.

21. (Currently Amended) The article of claim 15, wherein:

the initialization of the communication comprises a negotiation between the first node and the second node; and in response to a request from the first node, the second node transmits during the negotiation the one or more parameters to the first node.

22. (Currently Amended) A system comprising:

a first node comprising:

circuitry that includes a circuit card; and

a circuit board that includes a circuit card slot that is capable of

coupling the circuit card to the circuit board; and

a second node;

the circuitry being capable of determining one or more communication protocols via which the second node is capable of communicating with the first node based upon one or more parameters received by the circuit card from the second node during an initialization of communication between the first node and the second node, one or more parameters specifying the one or more communication protocols, and to select first drivers to implement ~~a first communication~~ an Ethernet protocol if the one or more parameters specifies the first communication protocol and to select second drivers to implement an Asynchronous Transfer Mode protocol if the one or more parameters

specifies the second protocol.

23. (Original) The system of claim 22, wherein:

the circuit board comprises a bus and a host processor coupled to the bus; and  
when the circuit card is coupled to the slot, the circuitry is coupled to the bus.

24. (Original) The system of claim 23, wherein:

the circuit card comprises a digital subscriber line (DSL) modem.

25. (Original) The system of claim 24, wherein:

a central office (CO) comprises the second node; and customer premises  
equipment (CPE) comprises the modem.